IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.140 OF 2007
IN
WRIT PETITIN NO.7846 OF 2006

M/s.Silver Line Enterprises ....Applicant
V/s.
The State of Maharashtra & Ors. ....Respondents

Mr.S.K. Shinde i/b Mr.Vinod Shah for the Applicant.
Mr.N.N. Bhadrashete for Respondent No.4.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH JANUARY, 2007.

P.C. :

1. There is nothing stopping the Applicant from depositing the amount of Rs.1,34,000/- with the Special Recovery Officer. It is stated that this is only to show the bona-fides of the Applicant. He is free to do so. However, it is clarified that the mere fact that the amount has been deposited will not create any rights in favour of the Applicant and to have the auction sale set-aside. That application shall be decided by the Special Recovery Officer on its own merits. Respondent No.4 - Bank, will refund the amount in the event of the Applicant not succeeding in having the sale set-aside.

2. The Civil Application is accordingly disposed

of.